

**RESOLUTION NO. 08-62**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO A RECONFIGURATION IMPLEMENTATION PHASE AGREEMENT WITH MOTOROLA, INC., A DELAWARE CORPORATION, IN AN AMOUNT NOT TO EXCEED \$997,117.00 FROM FUNDS TO BE PAID BY NEXTEL OPERATIONS, INC., A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1", THAT PROVIDES FOR MOTOROLA TO PERFORM CERTAIN PLANNING ACTIVITIES IN CONNECTION TO THE REBANDING AND RECONFIGURATION OF THE CITY OF HIALEAH 800 MHz CHANNEL.

**WHEREAS**, Sprint-Nextel operated on a band or frequency that was close to and was subject to interference with, most local government public safety communications systems operating a 800 MHz channel, including the City of Hialeah; and

**WHEREAS**, pursuant to a series of orders of the Federal Communications Commission (FCC) in 2004, certain licensees of 800 MHz channels used in public safety or other systems were required to relinquish their existing channels and relocate their systems to other licensed channels and Sprint-Nextel was also required to relinquish some of its existing channels and provide and pay relocation costs to fund the relocation of the local government public safety systems onto replacement channels and reconfigure their systems so that they are comparable facilities; and

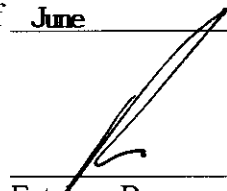
**WHEREAS**, the City of Hialeah and Nextel Operations, Inc. negotiated the terms and conditions of a Funding Implementaion Agreement to underwrite and pay for costs involving reconfiguration and rebanding of the City's 800 MHz channel in an amount not to exceed \$997,117.00; and

**WHEREAS**, it is in the best interest of the City to enter into a Reconfiguration Implementation Phase Agreement with Motorola, Inc. to perform the necessary planning functions for reband and reconfigure the City's 800 MHz channel.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:


**Section 1:** The City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into a Reconfiguration Implementation Phase Agreement with Motorola, Inc., a Delaware corporation, in an amount not to exceed \$997,117.00 from funds to be paid by Nextel Operations, Inc., a copy of which is attached hereto and made a part hereof as Exhibit "1", that provides for Motorola to perform certain implementation activities in connection with the rebanding or reconfiguration of the City of Hialeah 800 MHz channel.

PASSED AND ADOPTED this 10th day of June, 2008.

  
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Esteban Bovo  
Council President

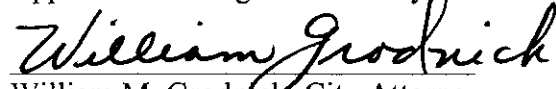
Attest:

Approved on this 12 day of June, 2008.

  
\_\_\_\_\_  
Rafael E. Granado, City Clerk

  
\_\_\_\_\_  
Mayor Julio Robaina

Approved as to legal sufficiency and form:

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

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Resolution was adopted by a unanimous vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Garcia-Martinez, Gonzalez, Hernandez, and Yedra voting "Yes".